



GENERAL LAW COMMITTEE BILLS

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ISSUE

Briefly summarize bills that originated from, and were reported out of, the General Law Committee during the 2016 session.

AN ACT CONCERNING ALCOHOLIC LIQUOR (FILE 63)

This bill makes several unrelated changes to the Liquor Control Act. It, among other things:

1. generally allows permittees that sell or dispense alcohol for on-premises consumption and farm winery manufacturers to sell and dispense alcohol an hour earlier on Sundays, starting at 10:00 a.m. instead of 11:00 a.m.;
2. generally prohibits permittees that sell or dispense alcohol for off-premises consumption (e.g., package stores and grocery stores) from selling or dispensing alcohol on Easter Sunday;
3. requires in-state transporter permittees that transport alcohol into the state to file with the Department of Revenue Services a report containing specified information;
4. increases, from four to 16, the number of events for which the Department of Consumer Protection (DCP) can waive certain alcohol sale and service limitations for catering establishment restaurant permittees; and
5. allows farm winery permittees to offer free tastings at a farmers' market.

[HB 5324](#), effective upon passage, except July 1, 2016 for the in-state transporter and restaurant catering permit provisions

AN ACT REQUIRING CERTAIN RETAIL BUSINESS ESTABLISHMENTS TO DISPLAY SIGNS REGARDING THE USE OF FACIAL RECOGNITION TECHNOLOGY (FILE 64)

This bill requires retail business establishments that capture and store “biometric identifiers” of individuals entering or within the establishments to post a sign disclosing that fact. A “biometric identifier” is a record of facial geometry, such as an image of an individual's face, that is captured and stored using facial recognition software.

Businesses that fail to display the sign as required are subject to a \$100 fine.

[HB 5326](#), effective July 1, 2016

AN ACT REQUIRING CERTAIN RESIDENTIAL RESTORATION SERVICE PROVIDERS TO REGISTER AS HOME IMPROVEMENT CONTRACTORS (FILE 65)

This bill expands the scope of the home improvement registration law by requiring anyone performing water, fire, or storm restoration or mold remediation to register as a contractor. The law applies to anyone performing such work on real property used or designed for use as a private residence, dwelling place, or residential rental property.

[HB 5327](#), effective January 1, 2017

AN ACT CONCERNING PUBLIC WORK CONTRACT RETAINAGE AND ENFORCEMENT OF THE RIGHT TO PAYMENT ON A BOND (FILE 180)

This bill generally lowers the maximum retainage allowed in state contracts from 10% to 5%. (Retainage is the amount withheld from payments conditioned on substantial or final completion of work in accordance with a construction contract.) It also prohibits the contractor from withholding more than the amount the state agency withheld from the subcontractor.

The law requires public works contracts valued at more than \$100,000 to require the general contractor to, among other things, furnish a payment bond from a surety company. The bill requires the surety company, if it fails to respond to a claim, to indemnify the claimant (e.g., subcontractor or supplier) for reasonable attorneys’ fees and costs thereafter to recover any amount found to be due or owed. By law, sureties must pay or deny claims within 90 days.

[HB 5328](#), effective July 1, 2016

AN ACT CONCERNING GROCERY STORE BEER PERMITS (FILE 181)

This bill makes technical changes to the grocery store beer permit statute.

[HB 5331](#), effective upon passage

AN ACT CONCERNING CASE BOTTLE QUANTITIES FOR CERTAIN ALCOHOLIC LIQUOR (FILE 192)

This bill allows DCP to grant permission, up to four times a year, for cases of liquor to have less than the statutory required number and quantity.

The bill also simplifies and replaces the statutorily required bottle numbers and quantities for a case of liquor with a smaller list based on the metric system.

[HB 5428](#), effective upon passage

AN ACT PERMITTING THE SALE OF PRIVATELY HELD ALCOHOLIC LIQUOR FOR AUCTION (FILE 193)

This bill establishes a narrow circumstance under which the sale or transfer of ownership of alcoholic liquor (i.e., beer, spirits, and wine) from a decedent's estate is exempt from the Liquor Control Act.

Under certain circumstances, it allows the estate's fiduciary to sell or transfer, without a liquor permit, alcoholic liquor listed in the estate inventory filed with the probate court.

[HB 5430](#), effective July 1, 2016

AN ACT MAKING MINOR AND TECHNICAL CHANGES TO DEPARTMENT OF CONSUMER PROTECTION STATUTES (FILE 243)

This bill makes various unrelated changes to the consumer protection statutes by doing the following:

1. eliminating a requirement that the Real Estate Commission automatically revoke a real estate broker's or salesperson's license when a judgment is entered against him or her;
2. eliminating "trickery" by a real estate broker or salesperson as a reason a person may receive compensation from the Real Estate Guaranty Fund;
3. allowing a coliseum concession permittee to sell beer in plastic or aluminum containers, rather than just in paper containers as required under current law;

4. specifying that pharmacist continuing education requirements do not apply the first year a pharmacist is licensed;
5. allowing DCP to establish a program for the test audit of alternative electronic retail pricing, based on a prior pilot program;
6. eliminating all state regulation of kosher foods by repealing the (a) DCP commissioner's specific authority to enter premises to inspect kosher food and (b) criminal offense of fraudulently selling kosher food.

[HB 5433](#), effective July 1, 2016

AN ACT CONCERNING CONSUMERS AND PROPANE FUEL PROVIDERS (FILE 194)

This bill requires heating fuel dealer contracts that provide aboveground heating fuel tanks to consumers to include a clause allowing the consumer to buy a new tank and associated equipment at the time of the initial installation.

The bill also eliminates a requirement that existing oral or written contracts containing an undisclosed or unspecified purchase option or price have a contract addendum with certain terms and deadlines mailed or delivered to the consumer by September 1, 2016.

[HB 5435](#), effective upon passage

AN ACT CONCERNING IRREVOCABLE FUNERAL SERVICE CONTRACTS (FILE 89)

This bill increases, from \$5,400 to \$8,000, the maximum allowable amount of an irrevocable funeral service contract. These contracts are sometimes referred to as "prepaid" or "preneed" funeral service contracts because payment is for services to be provided in the future.

[SB 189](#), effective July 1, 2016

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION (FILE 262)

This bill requires the DCP commissioner to adopt regulations on efficiently organizing the department.

[SB 190](#), effective January 1, 2017

AN ACT CONCERNING INSTALLERS OF RESIDENTIAL STAIR LIFTS (FILE 90)

This bill establishes a residential stair lift technician's license. By December 31, 2016, the DCP commissioner, after consulting with the Elevator Installation, Repair and Maintenance Board, must adopt regulations to establish such a license.

Under the bill, the initial license fee is \$150, and the annual renewal fee is \$75. Licenses are valid for one year from the date of issuance.

[SB 191](#), effective upon passage

AN ACT CONCERNING DAILY FANTASY SPORTS (AS PASSED BY THE GENERAL LAW COMMITTEE)

This bill (1) specifically legalizes daily fantasy sports (DFS) contests under state law by exempting them from the definition of gambling and (2) requires DFS contest operators to provide certain consumer protections.

Under the bill, the consumer protections must include, among other things:

1. a prohibition on operators allowing anyone under age 18 to participate in any DFS contests held or promoted by the operators;
2. protections for DFS contest participants' funds deposited with operators; and
3. protections for problem gamblers with respect to DFS contests.

Under the bill, operators must pay an initial \$50,000 registration fee, and the annual renewal fee is \$10,000.

A violation of these regulations is deemed a violation of the Connecticut Unfair Trade Practices Act.

[SB 192](#), effective upon passage

AN ACT CONCERNING ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM REPORTING (FILE 206)

This bill extends, from 24 hours to the end of the following day after the prescription is dispensed, the deadline for pharmacists and other controlled substance dispensers to report certain prescription information to DCP under the prescription drug monitoring program scheduled to take effect on July 1, 2016.

[SB 194](#), effective July 1, 2016

AN ACT PROTECTING CONSUMERS (FILE 164)

This bill requires the consumer protection commissioner to adopt regulations to protect consumers.

[SB 196](#), effective January 1, 2017

AN ACT ESTABLISHING A TASK FORCE TO STUDY VALUE-BASED PRICING OF PRESCRIPTION DRUGS (FILE 170)

This bill creates a 13-member task force to study value-based pricing of prescription drugs. Value-based pricing generally means basing prescription drug prices on the drug's actual value rather than pricing new drugs at the highest price.

The task force must report its findings and recommendations, by January 1, 2017, to the General Law, Insurance, and Public Health committees.

[SB 309](#), effective upon passage

AN ACT CONCERNING FOOD ENRICHMENT REQUIREMENTS (FILE 171)

This bill eliminates the mandatory enrichment requirement for rice, flour, macaroni, white bread or rolls, and corn meal or grits. Enrichment means adding essential elements (e.g., iron) or vitamins to food. Instead, these foods must meet (1) federal regulatory standards or (2) in the absence of such regulations, regulatory requirements that the consumer protection commissioner and the director of the agricultural experiment station may establish.

Under the bill, violators are subject to a fine of up to \$100, three months imprisonment, or both, for a first offense and up to \$500, one year imprisonment, or both, for subsequent offenses.

[SB 311](#), effective July 1, 2016

AN ACT REQUIRING THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION TO STUDY BOTTLE BILL BEVERAGE CONTAINER REFUND VALUES AND REDEMPTION FEES (FILE 172)

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner, in consultation with the revenue services commissioner, to study and report on the possible elimination of the beverage container refund value and substituting it with a nonrefundable four-cent recycling fee to be used to promote recycling and anti-littering programs.

The report must include any recommended legislation needed to implement the study's recommendations. The DEEP commissioner must submit the report to the Environment and Finance, Revenue and Bonding committees by December 31, 2016.

[SB 312](#), effective upon passage

AN ACT CONCERNING BIOLOGICAL PRODUCTS (FILE 218)

This bill sets conditions under which pharmacists can substitute biological products for prescribed biological products. In general, the substitution may occur if the product to be substituted is interchangeable with the prescribed product and practitioner has not explicitly prohibited the substitution. The bill's requirements are similar to those under existing law for substituting generics for prescribed brand name drugs.

A "biological product" is generally a virus; therapeutic serum; toxin or antitoxin; vaccine; blood or blood component or derivative; allergenic product; protein, but not a chemically synthesized polypeptide; or arsphenamine or a derivative of it, which is used to prevent, treat, or cure a human disease or condition.

[SB 313](#), effective October 1, 2016

AN ACT CONCERNING WAGE THEFT AND ALCOHOLIC LIQUOR PERMIT NONRENEWAL AND ENGLISH LANGUAGE REQUIREMENTS FOR THE ISSUANCE OF ALCOHOLIC LIQUOR PERMITS (FILE 222).

This bill requires the Department of Labor (DOL) commissioner to provide written notice to the DCP commissioner with the name and address of any employer holding a liquor permit that allows alcohol sales for on-premises consumption (e.g., restaurants, taverns, and café permittees) that has certain wage related violations.

The DCP commissioner must consider the notice and may choose to suspend the employer's liquor permit. If he suspends the permit, he must not reinstate it until he has received notice from the DOL commissioner that the employer is in compliance with applicable labor law.

Finally, the bill prohibits DCP from enforcing any regulation that prohibits issuing a permit to an applicant unable to read or understand English.

[SB 395](#), effective upon passage

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